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LEGISLATIVE SUPPLEMENT

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PART III

GOVERNMENT OF PUNJAB

DEPARTMENT OF PUBLIC WORKS

(ARCHITECTURE WING)

NOTIFICATION

The 13th December, 2021

No G.S.R. 166/Const./Art.309/2021.- In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules, regulating the recruitment and conditions of the Service of the persons appointed to the Punjab Architecture (Group C) Technical Service, namely:-

RULES

1. Short title, commencement and application.- (1) These rules may be called the Punjab Architecture (Group C) Technical Service Rules, 2021.

(2) They shall come into force on and with effect from the date of their publication in the Official Gazette.

(3) They shall apply to the posts specified in Appendix 'A'.

2. Definitions.- (1) In these rules, unless the context otherwise requires, -

(a) "Appendix" means an Appendix appended to these rules;

(b) 'Chief Architect' means the Chief Architect, Punjab;

(c) "Government" means the Government of Punjab in the Department of Public Works; and

(d) "Service" means the Punjab Architecture (Group C) Technical Service.

(2) The words and expressions used, but not defined in these rules, shall have the same meaning as respectively assigned to them in the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994.

3. Number and character of posts.- The Service shall comprise the posts specified in Appendix 'A':

Provided that nothing in these rules shall affect the inherent right of the Government to add to or reduce the number of such posts or to create new

posts with different designations and scales of pay, whether permanently or temporarily.

4. Appointing authority.— All appointments to the Service shall be made by the Chief Architect.

5. Pay of members of the Service.— The members of the Service shall be entitled to such scales of pay, as may be authorized by the Department of Finance, Government of Punjab from time to time. The scales of pay, at present, in force in respect of the members of the Service are given in Appendix 'A'.

6. Method of appointment, qualifications and experience.— (1) All appointments to the Service shall be made in the manner specified in Appendix 'B' :

Provided that if no suitable candidate is available for appointment to the Service by promotion or by direct appointment, then appointment to the Service shall be made by transfer of a person holding analogous post under a State Government or Government of India.

(2) No person shall be appointed to a post in the Service unless he possesses the qualifications and experience as specified against that post in Appendix 'B'.

(3) All appointments to the Service by promotion shall be made on the basis of seniority –cum-merit, and no person shall have any right to claim promotion on the basis of seniority alone.

7. Discipline, punishment and appeal.— (1) In the matters of discipline, punishment and appeals, the members of the Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1970, as amended from time to time.

(2) The authority empowered to impose penalties as specified in rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970, and the appellate authority there under in respect of the members of the Service against an order as specified in the Punjab Civil Services (Punishment and Appeal) Rules, 1970 shall be as per Appendix 'C'.

8. Application of the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994.— (1) In respect of the matters, which are not specifically provided in these rules, the members of the Service shall be governed by the provisions of the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994, as amended from time to time.

(2) The Punjab Civil Services (General and Common Conditions of Service) Rules, 1994, at present in force, are contained in Appendix 'D'.

9. Repeal and saving.- The Punjab Architecture (Class III) Technical Service Rules 2000, in so far as they are applicable to the members of the Service, are hereby repealed:

Provided that any order issued or any action taken under the rules, so repealed, shall be deemed to have been issued or taken under the corresponding provisions of these rules.

10. Interpretation.- If any question arises to the interpretation of these rules, the Government, in consultation with the Department of Personnel, shall decide the same.

APPENDIX 'A'

[See rules 1(3), 3 and 5]

Serial Num- ber	Designation of the post	Number of posts			Scale of pay + Grade Pay (in rupees)	Scal of pay for the member of the service recruited after the 17th July, 2020 (As per 7th Central pay Commission matrix) (in rupees)
		Perma nent	Tempo rary	Total		
1.	Architectural Junior Draftsman	28	-	28	10300-34800+3200	25500- (level-4) Vide Punjab Govt, Deptt. of Public Works (Building and Roads-1 Branch), Letter No.PWD – BR1020/155/ 2020-B and R1/ 126224/1 dated 04.01.2021
2.	Ferro-Printer	4	-	4	5910-20200+1900	-

APPENDIX 'B'

(See rule 6)

Serial Num- ber	Designation of the Post	Percentage for appointment by		Method of recruitment, qualifications and experience for appointment by	
		Direct Appointment	Promotion	Direct Appointment	Promotion
1	2	3	4	5	6
1.	Architectural Junior Draftsman	Hundred percent	-	Should possess Three Years' Diploma in Architectural Assistantship, awarded by the State Board of Technical Education or from a recognized university or institution ; or Should possess a higher qualification such as degree or a diploma in Architecture recognized by the Council of Architecture constituted under the Architects Act, 1972.	-
2.	Ferro-Printer	-	Hundred percent	-	From amongst the Ferro-Khalasies working under the control of the Chief Architect, who have an experience of working as such for a minimum period of five years.

APPENDIX 'C'

[See rule 7]

Serial Num- ber	Designation of the post	Nature of *penalty/ or @order	Authority empowered to impose penalty or pass order	Appellate authority
1	2	3	4	5
1.	Architectural Junior Draftsman	Minor or Major penalty	Chief Architect	Secretary- in-charge
2.	Ferro-Printer	Minor or Major penalty	Chief Architect	Secretary- in-charge

* in term of rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970

@ in terms of rule 15 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970

APPENDIX 'D'
[See rule 8]

GOVERNMENT OF PUNJAB
DEPARTMENT OF PERSONNEL
(PERSONNEL POLICIES-1 BRANCH)
Notification

The 4th May, 1994

NO. G.S.R.33/Const./Art.309/94.- In exercise of the powers conferred by the proviso to article 309 of the constitution of India, and all other powers enabling in this behalf, the Governor of Punjab is pleased to make the following rules regulating the recruitment and general and common conditions of service of persons appointed to '[Group 'A', Group 'B' and Group 'C'] services in connection with the affairs of the State of Punjab, namely:-

1. Short title, commencement and application :-

- (1) These rules may be called the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994.
- (2) They shall come into force at once.
- (3) They shall apply to all the posts in '[Group 'A', Group 'B' and Group 'C'] services in connection with the affairs of the State of Punjab.

2. Definitions.- In these rules, unless the context otherwise requires,-

- a) "appointing authority" means an appointing authority specified as such in the Service Rules made under article 309 of the constitution of India in respect of any service or Post in connection with the affairs of the State of Punjab;
- b) "Board" means the Subordinate Service Selection Board, Punjab or any other authority constituted to perform its functions;
- c) "Commission" means the Punjab Public Service Commission;
- d) "direct appointment" means an appointment made otherwise than by promotion or by transfer of a person already in the service of Government of India or of a State Government;
- e) "Government" means the Government of the State of Punjab in the Department of Personnel and Administrative Reforms;
- f) "recognised university or institution" means,-
 - i) any university or institution incorporated by law in any of the State of India; or
 - ii) any other university or institution, which is declared by the Government to be recognised university or institution for the purposes of these rules;
- g) "[Service" means any Group 'A' Service, Group 'B' service and Group 'C' service constituted in connection with the affairs of the State of Punjab as per scales given in the Appendix;]
- h) "Service Rules" means the service rules made under article 309 of the Constitution of India regulating the recruitment and conditions of service other than the general and common conditions of service of persons appointed to any service or post in connection with the affairs of the State of Punjab; and

*Amended vide Punjab Government Notification No. G.S.R. 115/Const./Art.309/Amd.(6)/2001, dated 18th December, 2001.

“(i) (i) “War hero” means a defence services personnel, or a para-military forces personnel, who is a *bona fide* resident of Punjab State and has been killed or discharged from service on account of disability suffered by him on or after 1st January, 1999, while fighting in a war declared so by the Government of India, in operations in Kargil or any other sector in J & K in the on going conflict with Pakistan or in any other operations which may be notified by the State Government to have been undertaken for preserving the unity and integrity of the Country; or

(ii) a defence service personnel or a para-military forces personnel who was a *bona fide* resident of Punjab State and was posthumously decorated with Param Vir Chakra, Mahavir Chakra or Vir Chakra; provided that,-

(a) In exceptional instances, the cases of such War Heroes may also be covered, with the prior approval of the Department of Personnel who though not *bona fide* residents of Punjab State are yet closely connected to the State of Punjab;

(b) In the case of War Heroes, falling in the category (ii) above, the benefits to be given by the State Government will be restricted only to first generation dependent members/next of the kin.

Note:- The Government reserves the right to include any other category of Awardees for the purpose of providing employment to the category of War Heroes, as may be notified.]

3. Nationality, domicile and character of person appointed to the Service.-

(1) No person shall be appointed to the Service unless he is,-

- (a) a citizen of India; or
- (b) a citizen of Nepal; or
- (c) a subject of Bhutan; or
- (d) a Tibetan refugee who came over to India before the 1st day of January, 1962 with the intention of permanently settling in India; or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka and East African Countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire, Ethiopia and Vietnam with the intention of permanently settling in India:

Provided that a person belonging to any of the categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been given by the Government of Punjab in the Department of Home Affairs and Justice.

(2) A person in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Commission or the Board, as the case may be, on his furnishing proof that he has applied for the certificate but he shall not be appointed to the service unless the necessary certificate is given to him by the Government of Punjab in the Department of Home Affairs and Justice.

(3) No person shall be recruited to the service by direct appointment, unless he produces,-

- (a) a certificate of character from the principal academic officer of the university, college, school or

¹ Substituted vide Punjab Government Notification No. G.S.R. 34/Cons/L/Art.309(Amd./7)/2003, dated 12th July, 2003.

institution last attended, if any, and similar certificates from two responsible persons not being his relatives, who are well acquainted with him in his private life and are unconnected with his university, college, school or institution; and

- (b) An affidavit to the effect that he was never convicted for any criminal offence involving moral turpitude and that he was never dismissed or removed from service of any State Government or of Government of India, or of any Public Sector Undertaking.

4. Disqualification. - No person:-

- (a) who has entered into or contracted a marriage with a person having spouse living; or
(b) who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the Service:

Provided that the Government, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. Age.- ¹[(1) No person shall be recruited to the Service by direct appointment, if he is less than eighteen years or is more than thirty seven years of age in the case of technical and non-technical posts on the first day of January of the year immediately preceding the last date, fixed for submission of applications by the Commission or the Board, as the case may be.]

Provided that where different lower and upper age limits have been specifically prescribed for posts in the Service Rules, these limits shall be made applicable for appointment to such posts:

Provided further that the upper age limit may be relaxed up to forty-five years in the case of persons already in the employment of the "Punjab Government, or any Board, Corporation, Commission or Authority under it." other State Government or the Government of India:

Provided further that in the case of candidates belonging to Scheduled Castes and other Backward Classes, the upper age limit shall be such as may be fixed by the Government from time to time.

- (2) In the case of ex-servicemen, the upper age limit shall be such as has been prescribed in the Punjab Recruitment of Ex-servicemen Rules, 1982, as amended from time to time.
(3) In the case of appointment on compassionate grounds on priority basis, the upper age, limit shall be such as may be specifically fixed by the Government from time to time.

- ²[(4) In the case of appointment of a War-hero, who has been discharged from defence services or paramilitary forces on account of disability suffered by him or his widow or dependent member of his family, the upper age limit shall be such as may be specifically fixed by the Government from time to time.]

³ **[5A. Increase in upper age limit.-** Notwithstanding anything contained in rule 5, on and with effect from the commencement of the Punjab Civil Services (General and Common Conditions of Service) Amendment Rules, 2010, where in any other Service rules, or in Government instructions, the upper age limit for appointment to any Service or for any category or persons, if different from thirty-five years, it shall be deemed to have been increased by two years.]

¹Amended vide Punjab Government Notification No. G.S.R. 20/Const./Art.309/Amd.(10)/2010, dated 24th May, 2010.

²Amended vide Punjab Government Notification No. G.S.R. 81/Const./Art.309/Amd.(II)/99, dated 16th November, 1999.

³Rule 5A after rule 5 was inserted vide Punjab Government Notification No. G.S.R. 20/Const./Art.309/Amd.(10)/2010, dated 24th May, 2010.

⁴Amended vide Punjab Government Notification No. G.S.R. 85/Const./Art.309/Amd.(19)/2016, dated 20th December, 2016.

6. Qualification etc. — Subject to the provisions of these rules, the number and character of posts, method of recruitment and educational qualifications and experience for appointment to a post or posts in a Service and the departmental examination, if any, shall be such as may be specified in the Service Rules made for that Service;

{Provided that where appointment of ²[Group 'A' or Group 'B'] non-technical post is offered to a war-hero, who has been discharged from defence services or paramilitary forces on account of disability suffered by him or his widow or dependent member of his family, under the instructions issued in this behalf by the Government, the educational qualification to be possessed by such person shall be graduation from a recognised university. Such person who is offered ² [Group 'A' or Group 'B' or Group 'C'] non-technical post, shall not, however, be required to possess experience of technical or non-technical post at the time of his initial appointment.}

7. Probation.- (1) A person appointed to any post in the service shall remain on probation for a period of ⁴[three] years, if recruited by direct appointment and one year if appointed otherwise:

Provided that,-

- (a) any period, after such appointment, spent on deputation on a corresponding or a higher post shall count towards the period of probation;
 - (b) in the case of an appointment by transfer, any period of work on an equivalent or higher rank, prior to appointment to the Service, may in the discretion of the appointing authority, be allowed to count towards the period of probation;
 - (c) any period of officiating appointment to the Service shall be reckoned as period spent on probation; and
 - (d) any kind of leave not exceeding six months, during or at the end of period of probation, shall be counted towards the period of probation.
- (2) If, in the opinion of the appointing authority, the work or conduct of a person during the period of probation is not satisfactory or if he has failed to pass the departmental examination, if any, prescribed in Service Rules within a period not exceeding ³[one] and a half years from the date of appointment, it may,-
- (a) If such person is recruited by direct appointment, dispense with his services, or revert him to a post on which he held lien prior to his appointment to the Service by direct appointment; and
 - (b) if such person is appointed otherwise-
 - (i) revert him to his former post; or
 - (ii) deal with him in such other manner as the terms and conditions of the previous appointment permit.

¹Proviso was added, vide Punjab Government Notification No. G.S.R. 81/Const./Art.308/Amd.(1)/99, dated 15th November, 1999.

²Amended vide Punjab Government Notification No. G.S.R. 115/Const./Art.308/Amd.(8)/2001, dated 16th December, 2001.

³Amended vide Punjab Government Notification No. G.S.R. 1/Const./Art.309/Amd.(14)/2015, dated 23rd February, 2015.

⁴Amended vide Punjab Government Notification No. G.S.R. 58/Const./Art.308/Amd.(18)/2016, dated 5th September, 2016.

(3) On the completion of the period of probation of a person, the appointing authority may –

(a) if his work and conduct has in its opinion been satisfactory-

(i) confirm such person, from the date of his appointment or from the date he completes his period of probation satisfactorily, if he is not already confirmed; or

(ii) declare that he has completed his probation satisfactorily, if he is already confirmed; or

(b) if his work or conduct has not been in its opinion, satisfactory or if he has failed to pass the departmental examination, if any, specified in the Service Rules-

(i) dispense with his services, if appointed by direct appointment or if appointed otherwise revert him to his former post, or deal with him in such other manner as the terms and conditions of his previous appointment may permit;

(ii) extend his period of probation and thereafter pass such order as it could have passed on the expiry of the period of probation as specified in sub-rule (1):

[Provided that the total period of probation including extension, if any, shall not exceed four years, if recruited by direct appointment and three years if appointed otherwise.]

8. **Seniority-** The seniority inter se of persons appointed to posts in each cadre of a Service shall be determined by the length of continuous service on such post in that cadre of the Service.

Provided that in the case of persons recruited by direct appointment who join within the period specified in the order of appointment or within such period as may be extended from time to time by the appointing authority subject to a maximum of four months from the date of order of appointment the order of merit determined by the Commission or the Board, as the case may be, shall not be disturbed:

Provided further that in case a person is permitted to join the post after the expiry of the said period of four months in consultation with the Commission or the Board, as the case may be, his seniority shall be determined from the date he joins the post:

Provided further that in case any person of the next selection has joined a post in the cadre of the concerned Service before the persons referred to in the preceding proviso joins, the person so referred shall be placed below all the persons of the next selection who join within the time specified in the first proviso:

Provided further that in the case of two or more persons appointed on the same date, their seniority shall be determined as follows:-

(a) a person appointed by the direct appointment shall be senior to a person appointed otherwise;

(b) a person appointed by promotion shall be senior to a person appointed by transfer;

(c) in the case of persons appointed by promotion or transfer, the seniority shall be determined according to the seniority of such persons in the appointments from which they were promoted or transferred; and

(d) in the case of persons appointed by transfer from different cadres their seniority shall be determined according to pay, preference being given to a person who was drawing a higher rate of pay in his previous appointment; and if the rates of pay drawn are also the same, then by their length of service in these appointments and if the length of service is also the same, an older person shall be senior to a younger person:

*[Provided further that in the case of persons recruited by direct appointment in the same cadre obtaining equal marks during same selection process, their inter-seniority shall be determined on the basis of their age. That is, an older person shall be senior to the younger person.]

Note: - Seniority of persons appointed on purely provisional basis or on ad hoc basis shall be determined as and when they are regularly appointed keeping in view the dates of such regular appointment.

9. **Liability of members of Service to transfer-** A member of a Service may be transferred to any post whether included in any other service or not, on the same terms and conditions as specified in rule 3.17 of the Punjab Civil Service Rules, Volume-I, Part I.
10. **Liability to serve-** A member of Service shall be liable to serve at any place, whether within or out of the State of Punjab, on being ordered so to do by the appointing authority.
11. **Leave, Pension and other matters-** In respect of pay, leave, pension and all other matters not expressly provided for in these rules, a member of Service shall be governed by such rules and regulations as may have been or may hereafter be adopted or made by the competent authority.
12. **Discipline, penalties and appeals-** (1) In the matter of discipline, punishment and appeals, a member of a Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1970 as amended from time to time.

(2) The authority empowered to impose penalties specified in rules 5 of the Punjab Civil Service (Punishment and Appeal) Rules, 1970 and the appellate authority thereunder in respect of the Government employee shall be such as may be specified in the Service Rules.
13. **Liability for vaccination and re-vaccination-** Every member of a Service shall get himself vaccinated or re-vaccinated when Punjab Government so directs by a special or general order.
14. **Oath of allegiance-** Every member of a Service, unless he has already done so, shall be required to take oath of allegiance to India and to the Constitution of India as by law established.

¹ [14A. Minimum Educational and other Qualifications for appointment to the post of Senior Assistant by –

Direct Appointment	Promotion
<p>No person shall be given direct appointment to the post of Senior Assistant under the Punjab Government unless he –</p> <p>(i) Possesses the Bachelor's Degree from a recognised University or Institution; and</p> <p>(ii) Qualifies in the competitive test specified by the appointing authority from time to time; and</p> <p>(iii) Possesses at least one hundred and twenty hours course with hands on experience in the use of Personal Computer or Information Technology in Office Productivity applications or Desktop Publishing applications from a Government recognised institution or a reputed institution, which is ISO 9001, certified.</p> <p>OR</p> <p>Possesses a Computer Information Technology Course equivalent to 'O' level certificate of Department of Electronics Accreditation of Computer Course (DOEACC) of Government of India.</p> <p>(2) The person so appointed as Senior Assistant in terms of Provisions of sub-rule (1), shall have, before his appointment, ²[passed a test in English and Punjabi, respectively,] typewriting on computer to be conducted by the Board or the appointing authority or the Department of Information Technology, as the case may be, at a speed of thirty words per minute:</p> <p>Provided that where appointment of Group 'B' non-technical post is offered to a War Hero, who has been discharged from Defense Services or dependent member of his family under the instructions issued in this behalf by the Government, the educational qualifications to be possessed by such person shall be Graduate from a recognized University or Institution. However, such person shall not be required to qualify the test in Punjabi typewriting as Provided in sub-rule (2).</p>	<p>From amongst the clerks, who have an experience of working as such for a minimum period of ³[four years].</p>

¹Rule 14A was inserted vide Punjab Government Notification No. G.S.R. 7/Const./Art.309/Amd.(16)/2015, dated 15th March, 2015.

²Amended vide Punjab Government Notification No. G.S.R. 69/Const./Art.309/Amd.(16)/2015, dated 24th December, 2015.

³Amended vide Punjab Government Notification No. G.S.R. 31/Const./Art.309/Amd.(21)/2019, dated 13th September, 2019.

15. Minimum Educational and other qualifications:-

- (1) (i) No person shall be given direct appointment to the post of Clerk under the Punjab Government unless he possesses the Bachelor's Degree from a recognized University or Institution; and
(ii) Possesses at least one hundred and twenty hours course with hands on experience in the use of Personal Computer or Information Technology in Office Productivity applications or Desktop Publishing applications from a Government recognised institution or a reputed institution, which is ISO 9001, certified.

OR

Possesses a Computer information Technology course equivalent to 'O' level certificate of Department of Electronics Accreditation of Computer Course (DOEACC) of Government of India;

- (2) The person so appointed as Clerk in terms of the provisions of sub-rule (1), shall have, before his appointment, ²(passed a test in English and Punjabi, respectively, on computer), to be conducted by the Board or the appointing authority or the Department of Information Technology as the case may be, at a speed of thirty words per minute."

Provided that where appointment of Group 'C' non-technical post is offered to a War Hero, who has been discharged from Defence Services or department member of his family under the instructions issued in this behalf by the Government, the educational qualification to be possessed by such person shall be Graduate form a recognized University or Institution. However, such person shall not be required to qualify the test in Punjabi type-writing as specified in sub-rule (2).]

¹Rule 15 was Substituted, vide Punjab Government Notification No. G.S.R. 12/Const./Art.309/Amd.(9)/2009, dated 10th February, 2009.

²Rule 15 was amended and sub rule (3) was omitted vide Punjab Government Notification No. G.S.R. 59/Const./Art.309/Amd.(13)/2011, dated 17th August, 2011.

³Amended vide Punjab Government Notification No. G.S.R. 69/Const./Art.309/Amd.(16)/2015, dated 24th December, 2015.

(AGHN 26, 1943 SAKA)

***[15A Minimum Educational and other Qualifications for appointment to the post of Senior Scale Stenographer by-**

Direct Appointment	Promotion
<p>No person shall be given direct appointment to the post of Senior Scale Stenographer under the Punjab government unless he—</p> <p>(i) Possesses the Bachelor's Degree from a recognised University or Institution; and</p> <p>(ii) Qualifies in a Stenography test in four paras (two in Punjabi and two in English language) containing 250 words each as follows:-</p> <p>(a) the passage in Punjabi shall be dictated at a speed of 100 words per minute in Punjabi language required to be transcribed these (at typewriter/computer) at a speed of 20 words per minute; and</p> <p>(b) the passage in English shall be dictated at a speed of 60 words per minute in English language required to be transcribed these (at typewriter/computer) at a speed of 12 words per minute.</p> <p>(iii) The candidates committing not more than 4% mistakes in aggregate and only if he/she qualifies the stenography test in both the languages shall be considered to have qualified the test for appointment as Senior Scale Stenographer.</p> <p>(iv) Possesses at least one hundred and twenty hours course with hands on experience in the use of Personal Computer or Information Technology in Office Productivity applications or Desktop Publishing applications from a Government recognised institution or a reputed institution, which is ISO 9001, certified.</p> <p style="text-align: center;">OR</p> <p>Possesses a Computer Information Technology course equivalent to 'O' level certificate of Department of Electronics Accreditation of Computer Course (DOEACC) of Government of India.</p>	<p>(i) From amongst the Junior Scale Stenographers, who have an experience of working as such for a minimum period of one year.</p> <p>Provided that if the Junior Scale Stenographer is not available then from amongst the Steno typists, who have an experience of working as such for a minimum period of ²four years; and</p> <p>(ii) Qualifies in a stenography test in four paras (two in Punjabi and two in English language) counting 250 words each as follows:-</p> <p>(a) the passage in Punjabi shall be dictated at a speed of 100 words per minute in Punjabi language required to be transcribed these (at typewriter/computer) at a speed of 20 words per minute; and</p> <p>(b) the passage in English shall be dictated at a speed of 60 words per minute in English language required to be transcribed these (at typewriter/computer) at a speed of 12 words per minute.</p> <p>(iii) The candidates committing not more than 4% mistakes in aggregate and only if he / she qualifies the Stenography test in both the languages shall be considered to have qualified the test for promotion as Senior Scale Stenographer.</p>

*Rule 15A was inserted vide Punjab Government Notification No. G.S.R. 7/ConsL/Avt.309/Amd.(15)/2015, dated 16th March, 2015.²Amended vide Punjab Government Notification No. G.S.R. 31/ConsL/Avt.309/Amd.(21)/2019, dated 13th September, 2019.

[16. **Minimum Educational and other Qualifications for appointment to the post of Steno-typist or Junior Scale Stenographer-** No person shall be given direct Appointment to the post of Steno-typist or Junior Scale Stenographer under the Punjab Government, unless he-

- (a) Possesses Bachelor's Degree from a recognised University or Institution; and
- (b) Qualifies a test in Punjabi Stenography to be held by the Board or by the appointing authority at a speed specified by the Government from time to time; and
- (c) Possesses at least one hundred and twenty hours course with hands on experience in the use of Personal Computer or Information Technology in Office Productivity applications or Desktop Publishing applications from Government recognised institutions or a reputed institution, which is ISO 9001, certified.

OR

Possesses a Computer Information Technology Course equivalent to 'O' level certificate of Department of Electronics Accreditation of Computer Course (DOEACC) of Government of India.]

[17. **Knowledge of Punjabi Language –** No person shall be appointed to any post in any service by Direct appointment unless he has passed Matriculation examination with Punjabi as one of the compulsory or elective subjects or any other equivalent examination in Punjabi language, which may be specified by the Government from time to time:

Provided that where a person is appointed on compassionate grounds on priority basis under the instructions issued in this behalf by the Government from time to time, the person so appointed shall have to pass an examination of Punjabi language equivalent to Matriculation standard or he shall have to qualify a test conducted by the Language Wing of the Department of Education of Punjab Government within a period of six months from the date of his appointment:

Provided further that where educational qualifications for a post in any service are lower than the Matriculation standard, then the person so appointed shall have to pass an examination of Punjabi language equivalent to Middle standard:

Provided further that where a War Hero, who has been discharged from defense services or paramilitary forces on account of disability suffered by him or his widow or dependent member of his family, is appointed under the instructions issued in this behalf by the Government, the person so appointed will not be required to possess aforesaid knowledge of Punjabi Language:

Provided further that where a ward of Defence Service Personnel, who is a *bona fide* resident of Punjab State, is appointed by direct appointment, he shall have to pass an examination of Punjabi Language equivalent to Matriculation Standard or he shall have to qualify a test conducted by the Language Wing of the Department of Education of Punjab Government within a period of two years from the date of his appointment.]

¹Amended vide Punjab Government Notification No.G.S.R.12/Cons./Art.309/Amd(9)/2009 dated 10th February, 2009.
²Rule 17 was Substituted vide Punjab Government Notification No.G.S.R.97/Cons./Art.309/Amd.(5)/2001 dated 4th September 2001

[18. **Promotion to Ground 'A' and Group 'B' Services-**

- (1) (a) For promotion to the post as Head of Department would be decided strictly on the basis of merit-cum-seniority as per the instructions issued by the Government from time to time. The minimum bench mark for promotion for such post would be 'Very Good'. The officer who is graded as 'Outstanding' would supersede the officer graded as 'Very Good'.
- (b) For promotion to post falling in Group 'A' other than Head of Department, the minimum benchmark will be 'Very Good' as per as instructions issued by the Government from time to time. There shall be no supersession on the basis of merit.
- (c) For promotion to post falling in Group 'B', the minimum benchmark will be 'Good' and there shall be no supersession on the basis of merit.

- (2) **Debarring for consideration for promotion of a Government employee who refuses to accept promotion** – In the event of refusal to accept promotion by a member of a service, he shall be debarred by the appointing authority from consideration for promotion for all the consecutive chances which may occur in future within a period of two years from the date of such refusal to accept promotion:

Provided that in a case where the appointing authority is satisfied that a member of a service has refused to accept promotion under the circumstances beyond his control, it may exempt such a member for reasons to be recorded therefore in writing from the operation of this rule.]

19. **Power to relax** - Where the government is of the opinion that it is necessary to expedient so to do, it may by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

Provided that the provisions relating to educational qualifications and experience, if any, shall not be relaxed.

20. **Over riding effect-** The provisions of these rules shall have effect notwithstanding anything contrary contained in any rules for the time being in force for regulating the recruitment and conditions of service for appointment to public service and posts in connection with the affairs of the State.
21. **Interpretation** – If any, question arises as to the interpretation of these rules, the Government shall decide the same.

¹ Rules 18 was Substituted vide Punjab Government Notification NO.G.S.R.117/Const./Art309/Amd.(7)/2001, dated 18th December, 2001

"APPENDIX"

(See rule 2)

- Group 'A' : Posts in initial entry revised scales of pay having a maximum of Rs.11,660 or more; Provided that all existing Class I posts irrespective of the monetary limits of the pay scales shall be placed in Group 'A'.
- Group 'B' : Posts in initial entry revised scales of pay with maximum ranging between Rs. 10,640 to 11,659;
- Group 'C' : Posts in initial entry revised scales of pay with maximum ranging between Rs. 5,160 to 10,639;

A.S. CHATTHA,
Chief Secretary to Government of Punjab.

Vikas Pratap, IAS
Principal Secretary, Government of Punjab,
Department of Public Works

PART III

GOVERNMENT OF PUNJAB

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(HOUSING -2 BRANCH)

NOTIFICATION

The 13th December, 2021

No. G.S.R. 167/P.A.14/1995/Ss. 38 and 45/Amd./2021.-The following draft of rules, further to amend the Punjab Apartment and Property Regulation Rules, 1995, which the Governor of Punjab proposes to make in exercise of the powers conferred by section 45 read with sub section (2) of section 38 of the Punjab Apartment and Property Regulation Act, 1995 (Punjab Act No 14 of 1995) and all other powers enabling him in this behalf, is published as required by sub-section (1) of the said section 45, for the information of the persons likely to be affected thereby.

Notice is hereby given that the draft will be taken into consideration by the Government or after the expiry of a period of thirty days from the date of publication of this notification in the Official Gazette, together with any objection or suggestion, which may be received by the Principal Secretary to Government of Punjab, Department of Housing and Urban Development, Chandigarh, from any person before the expiry of the period so specified with respect to the said draft, namely:-

DRAFT RULES

1. (1) These rules may be called the Punjab Apartment and Property Regulation (Amendment) Rules, 2021.

(2) They shall come into force on and with effect from the date of their publication in Official Gazette.

2. In the Punjab Apartment and Property Regulation Rules, 1995 (herein after referred to as a said rules), for rule 31, the following rule, shall be substituted, namely:-

"31 Compounding of offences.- (1) Notwithstanding anything contained in these rules, the competent authority on an application, made by the promoter in Form APR-V-A, may either before or after the institution of the proceedings for prosecution, compound an offence of developing an unauthorized colony.

(2) On receipt of an application under sub-rule (1), the competent authority may, if it deems proper, compound the said offence on the fulfillment of following conditions and restrictions by the promoter, namely: -

- (a) the colony should fulfill all the provisions and norms required for grant of license at the time of application and the promoter shall obtain a license in accordance with provisions of the Act and the rules made thereunder;
- (b) the promoter along with his application shall submit, proof of ownership of land falling under the unauthorized colony as specified under the Act;
- (c) the unauthorized colony should be in conformity with the provisions of Master Plan notified for the area and other controls;
- (d) the constructions, existing on the site of unauthorized colony, should conform to the Punjab Urban Planning and Development Building Rules, 2021 or Building Bylaws of the Department of Local Government, whichever applicable;
- (e) at the time of passing of compounding order, if permission for change of land use (CLU) of land falling under the unauthorized colony, has not been obtained by the promoter, the same shall be deemed to be issued provided double the amount of change of land use charges prevalent at that time is paid by the promoter, in the Government Treasury;
- (f) the promoter shall deposit the compounding fee which shall include prevailing External Development Charges (EDC), License Fee (LF), Social Infrastructure Fund (SIF) and Urban Development Fund (UDF) along with following additional fees, namely:-

Sr. No.	Colony	Percentage of total EDC, LF, SIF, UDF
1.	Industrial Colony	Ten percent
2.	Residential Colony	Twenty percent
3.	Commercial Colony	Thirty percent

The aforementioned compounding fee shall be payable in accordance with rule 32;

- (g) the promoter shall pay compounding fee in respect of compoundable violations in buildings existing in unauthorized colony as per

compounding policy of that Concerned Development Authority, prevalent at the relevant time. However, non-compoundable violations in the existing buildings, shall be removed or demolished by the promoter before compounding orders passed by the competent authority;

- (h) before passing of compounding orders by the competent authority, layout plan of colony shall be technically approved from the prescribed authority according to planning norms and the promoter shall be bound to develop the colony according to approved layout plan;
- (i) after an offence of the promoter has been compounded by the competent authority, if the said promoter repeats a breach of the provisions of the Act, then ten percent additional compounding fee shall be charged from him for every violation, when such an offence is committed under the Act; and
- (j) compounding of offence and regularization of unauthorized colony shall not be considered by the competent authority, if such colony falls,-
 - (i) within the distance of sixteen kilometers from the outer boundary of the Union Territory of Chandigarh;
 - (ii) within such restricted area, where any development is prohibited under any Central or State Act; and
 - (iii) within such area, which is an encroachment over the public land."

3. In the said rules, in rule 32, the words, brackets and figures "sub-rule (3) or sub-rule (4) of " shall be omitted.

SARVJIT SINGH,

Principal Secretary to Government of Punjab,
Department of Housing and Urban Development.